

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAWRENCE OBSTFELD,
individually and derivatively
on behalf of TOEV MEDICAL
CORPORATION, and
IGNITION VENTURES, INC.,

Plaintiffs,

v.

ARTHUR SCHWARTZ,
RONALD SOLAR,
RENAISSANCE BIOMEDICAL, INC.,
GLEN LIEBER, and
THERMOPEUTIX, INC.,

Defendants.

Civ. No. 07-5847 (DAB)

ECF Case

**PARTIAL JOINDER OF DEFENDANT ARTHUR SCHWARTZ IN THE REPLY
BRIEF IN SUPPORT OF DEFENDANTS RONALD SOLAR, RENAISSANCE
BIOMEDICAL, INC., GLEN LIEBER, AND THERMOPEUTIX, INC.'S
MOTION TO DISMISS**

Defendant Arthur Schwartz previously moved to dismiss the Amended Complaint for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1) and in support thereof joined in the motion to dismiss of co-defendants Ronald Solar, Renaissance Biomedical, Inc., Glen Lieber, and ThermopectiX, Inc. and relied upon co-defendants' supporting memorandum of law as it related to this Court's lack of subject matter jurisdiction.

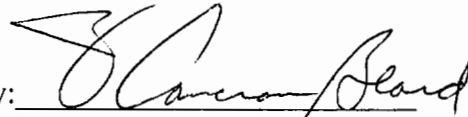
In further support of defendant Arthur Schwartz's motion to dismiss the Amended Complaint for lack of subject matter jurisdiction, Arthur Schwartz hereby joins in, adopts and incorporates by reference that portion of the Reply Brief In Support Of Defendants Ronald Solar, Renaissance Biomedical, Inc., Glen Lieber, And ThermopectiX, Inc.'s Motion To Dismiss related to this Court's lack of subject matter jurisdiction.

Defendant Arthur Schwartz respectfully requests that this Court grant this motion and dismiss plaintiffs' Amended Complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure.

Dated: October 17, 2007

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